

## **Remarks**

Reconsideration of the subject application as amended herein is respectfully requested. Applicant has carefully studied the outstanding Official Action. The present response is intended to be fully responsive to all points of rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application are respectfully requested.

In the application as examined, claims 30-32, 41-46 and 48-67 are pending, of which claims 30-32, 41-46 and 48-60 have been withdrawn, leaving claims 61-67 for consideration. Claims 61 and 67 are currently amended. All previously withdrawn claims have been cancelled without prejudice.

Claims 61-67 stand rejected under 35 U.S.C. 102(b) as being anticipated by Franco, et al (U.S. 6,164,564).

Applicant respectfully submits that the present application is a continuation application of USSN 10/085,763, which is a continuation of USSN 09/654,282, which is a continuation-in-part of 09/187,654 (now U.S. Patent 6,164,564) and that Franco, et al (U.S. 6,164,564) is therefore unavailable as prior art.

Claims 61-64, 66 and 67 stand rejected under 35 U.S.C. 102(b) as being anticipated by Kochenour (U.S. 4,090,668). Claim 65 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Kochenour (U.S. 4,090,668) in view of Franco, et al (U.S. 6,164,564).

Kochenour describes a windshield washing and deicing system comprising a reservoir for containing washer fluid having a sealed container supported therein including a pump to transfer fluid from the reservoir to the container and from the container to a plurality of nozzles located adjacent a vehicle window. Franco et al has been discussed above.

Applicants have amended claims 61 and 67 to more clearly define the invention and to recite, "a controller operative to control at least one of said at least one spray head and said at least one windshield wiper based on a value of a torque of said motor." Support for the amendment to claims 61 and 67 can be found in Figs. 10-11F and the description thereof on pages 22-25 of the application as filed and specifically on page 24, lines 13-25.

Applicants respectfully submit that Kochenour does not show or suggest apparatus for cleaning or de-icing a vehicle window, including, inter alia, a windshield wiper actuator system including a controller operative to control at least one of said at least one spray head and said at least one windshield wiper based on a value of a torque of said motor, as recited in amended claim 61, and that amended claim 61 is therefore patentable.

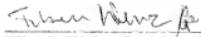
Applicants respectfully submit that Kochenour does not show or suggest a method for cleaning or de-icing a vehicle window, including, inter alia, a windshield wiper actuator system including a controller operative to control at least one of said at least one spray head and said at least one windshield wiper based on a value of a torque of said motor, as recited in amended claim 67 and that amended claim 67 is therefore patentable.

Claims 62-66 depend from claim 61 and recite additional patentable subject matter and are therefore patentable.

Claims 61-67 stand rejected on the grounds of non-statutory obviousness type double patenting as being unpatentable over claims 1-13 of Franco, et al (U.S. 6,164,564). Applicant respectfully submits that the amended claims of the present invention are patentably distinct from the claims of U.S. 6,164,564 because the claims of U.S. 6,164,564 do not show or suggest "controller operative to control at least one of said at least one spray head and said at least one windshield wiper based on a value of a torque of said motor" as recited in the claims of the present invention.

In view of the foregoing remarks, all of the claims are believed to be in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Respectfully submitted,  
GOTTLIEB, RACKMAN & REISMAN, P.C.

  
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Tiberiu Weisz, Reg. No. 29,876  
Attorneys for Applicant  
270 Madison Avenue, 8<sup>th</sup> Floor  
New York, NY 10016  
Phone: (212) 684-3900  
Fax: (212) 684-3999

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